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EXAMINER	
ZHOU, TING	
ART UNIT	**PAPER NUMBER**
2173	9

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/826,483	Applicant(s) MASSENGALE ET AL.	
	Examin r Ting Zhou	Art Unit 2173	

-- Th MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *08 March 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-32* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-32* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. The amendment filed on 8 March 2004 have been received and entered. Claims 1-32 as amended are pending in the application.

Claim Objections

2. Claim 32 is objected to because of the following informalities: the meaning of the phrase "a relative size of the angular section of the graphical element is indicative of a first attribute of the project task to one of a project and another project task and a relative distance of the graphical element from the central point is indicative of a second attribute of the project task to one of the project and another project task" on lines 7-10 of claim 32 is unclear; it does not clearly set forth what the limitation is trying to claim. For purposes of examination, the limitation is understood to be "a relative size of the angular section of the graphical element is indicative of a first attribute of the project task and a relative distance of the graphical element from the central point is indicative of a second attribute of the project task". Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-5, 7-11, 13, 16-20, 22-26, 28 and 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Selker U.S. Patent 6,549,219 and Lungren et al. U.S. Patent 6,092,050.

Referring to claim 1, Selker teaches a graphical user interface comprising a graphical display workspace having a generally central point (Selker: column 2, lines 45-50), and one or more graphical elements (icons or symbols) contained within the workspace and arrayed around the central point (Selker: column 3, lines 34-38), wherein each graphical element represents an attribute (item) and a position of the one or more elements within the workspace relative to the central point is indicative of a relative hierarchy of the attribute within a series of attributes (Selker: column 2, lines 45-57). This is further shown in Figures 2 and 6. However, while Selker does teach implementing the graphical interface in various geometrical shapes (Selker: column 5, lines 20-30), he fails to explicitly teach each graphical element representing a project attribute. Lungren et al. teach a graphical user interface displaying a hierarchy of attributes (segments in a hierarchical pyramid) (Lungren et al.: column 1, lines 46-50 and column 2, lines 13-22 and further shown in Figure 3) similar to that of Selker. In addition, Lungren et al. further teach the graphical elements within the graphical workspace representing project attributes (each segment, or graphical element on the displayed pyramid represents an attribute of the financial estimating project), as recited in column 1, lines 46-50 and column 2, lines 13-22 and further shown in Figure 3. It would have been obvious to one of ordinary skill in the art, having the teachings of Selker and Lungren et al. before him at the time the invention was made, to modify the graphical display of items of Selker to include the display of items representing project attributes taught by Lungren et al. to obtain a system where the hierarchical concentric display of attributes includes project attributes of a project. One would have been motivated to make such

a combination in order to be able to visually represent the amount of attention, or time, certain parts of a project are going to need; this way, users can easily see the time and effort required for a part of the project by merely looking at the location of the task relative to a central point and therefore, they can manage the time spent on different parts of a project more efficiently. Furthermore, this would present task or project information in an accurate and organized manner, thereby improving efficiency in the handling of complex and large amounts of information.

Referring to claim 16, Selker teaches a system comprising a graphical display workspace having a generally central point (Selker: column 2, lines 45-50), and one or more graphical elements (icons or symbols) contained within the workspace and arrayed around the central point (Selker: column 3, lines 34-38), wherein each graphical element represents an attribute (item) and a position of the one or more elements within the workspace relative to the central point is indicative of a relative hierarchy of the attribute within a series of attributes (Selker: column 2, lines 45-57) and each of the graphical elements describes an angular section around the central point such that the relative angular section of the graphical element is indicative of an attribute of the graphical element (the segments are arranged in angular segments around the center of the circular display and the segments represent attributes such as importance and popularity of the item) (Selker: column 2, lines 45-57, column 3, lines 33-40). This is further shown in Figures 2 and 6. However, while Selker does teach implementing the graphical interface on various computer systems (Selker: column 5, lines 34-43) and in various geometrical shapes (Selker: column 5, lines 20-30), he fails to explicitly teach each graphical element representing a project attribute and a server having an associated memory for storing project data, a remote client capable of communicating with the server over a network and a memory causing the display of

the graphical user interface. Lungren et al. teach a graphical user interface displaying a hierarchy of attributes (segments in a hierarchical pyramid) (Lungren et al.: column 1, lines 46-50 and column 2, lines 13-22 and further shown in Figure 3) similar to that of Selker. In addition, Lungren et al. further teach a server having a memory for storing project data and the ability of remote clients (workstation computers connected to the server) to communicate with the server over a network (Lungren et al.: column 3, lines 33-61), wherein the graphical elements within the graphical workspace represent project attributes (each segment, or graphical element on the displayed pyramid represents an attribute of the financial estimating project), as recited in column 1, lines 46-50 and column 2, lines 13-22 and further shown in Figure 3. It would have been obvious to one of ordinary skill in the art, having the teachings of Selker and Lungren et al. before him at the time the invention was made, to modify the graphical display of items of Selker to include the display of items representing project attributes taught by Lungren et al. to obtain a server/client system where the hierarchical concentric display of attributes includes project attributes in the project. One would have been motivated to make such a combination in order to be able to visually represent the amount of attention, or time, certain parts of a project are going to need; this way, users connected to the network can easily see the time and effort required for a certain part of the project by merely looking at the location of the task relative to a central point and therefore, they can manage the time spent on different parts of a project more efficiently. Furthermore, this would present task or project information in an accurate and organized manner, thereby improving efficiency in the handling of complex and large amounts of information.

Referring to claim 32, Selker teaches a graphical user interface comprising a graphical display workspace having a generally central point (Selker: column 2, lines 45-50), and one or

more graphical elements (icons or symbols) contained within the workspace and arrayed around the central point (Selker: column 3, lines 34-38), wherein each graphical element represents an attribute and each graphical element describes an angular section about the central point and is arrayed at a distance from the central point such that a relative size of the angular section of the graphical element is indicative of a first attribute and a relative distance of the graphical element from the central point is indicative of a second attribute (the segments on the circular display represent attributes, or items, which vary in segment size and distance from the center of the circle to indicate its relative importance, popularity, etc.) (Selker: column 2, lines 45-57 and column 3, lines 33-54 and further shown in Figures 2 and 6). However, while Selker does teach implementing the graphical interface in various geometrical shapes (Selker: column 5, lines 20-30), he fails to explicitly teach each graphical element representing a project attribute. Lungren et al. teach a graphical user interface displaying a hierarchy of attributes (segments in a hierarchical pyramid) (Lungren et al.: column 1, lines 46-50 and column 2, lines 13-22 and further shown in Figure 3) similar to that of Selker. In addition, Lungren et al. further teach the graphical elements within the graphical workspace representing project attributes (each segment, or graphical element on the displayed pyramid represents an attribute of the financial estimating project), as recited in column 1, lines 46-50 and column 2, lines 13-22 and further shown in Figure 3. It would have been obvious to one of ordinary skill in the art, having the teachings of Selker and Lungren et al. before him at the time the invention was made, to modify the graphical display of items of Selker to include the display of items representing project attributes taught by Lungren et al. to obtain a system where the hierarchical concentric display of attributes includes project attributes in the project. One would have been motivated to make such a combination in

order to be able to visually represent the amount of attention, or time, certain parts of a project are going to need; this way, users can easily see the time and effort required for a certain part of the project by merely looking at the location of the task relative to a central point and therefore, they can manage the time spent on different parts of a project more efficiently. Furthermore, this would present task or project information in an accurate and organized manner, thereby improving efficiency in the handling of complex and large amounts of information.

Referring to claims 2 and 17, Selker teaches the workspace comprises one or more concentric circles arrayed around the central point such that attributes represented in a same concentric circle have a same relative hierarchy (each item within a circle level have generally equal levels of importance), as recited in column 3, lines 33-50. This is further shown in Figure 6, where, for example, items "63-70" are in the same hierarchical level and items "61-62" are in the same hierarchical level .

Referring to claims 3 and 18, Selker teaches the concentric circles divided into one or more wedge-shaped segments (such as segments "11-14" and "21-24 shown in Figure 2) such that a relative size of each of the segments is indicative of an attribute (for example, smaller segments "11-14" represent more important attributes or items of the system while the bigger segments "21-24" represent other less important attributes or item of the system), as recited in column 3, lines 33-54 and further shown in Figure 3.

Referring to claims 4 and 19, Selker teaches the segments are colored to indicate an attribute (sectors, or segments, can be shaded with colors to indicate and distinguish between attributes, items), as recited in column 5, lines 30-33.

Referring to claims 5 and 20, Selker teaches an outer ring containing the name of a project or task (for example, Figure 1 contains an outer ring shown by reference character "20", which can be labeled with text, or name, representing the item, or attribute), as recited in column 3, lines 33-38, column 4, line 67 and column 5, line 1.

Referring to claims 7 and 22, Selker teaches all of the limitations as applied to claims 1 and 16 above. Specifically, he teaches allowing users to navigate and select the icons on the concentric circle display (Selker: column 3, lines 33-40 and column 5, lines 4-16). However, Selker fails to explicitly teach a navigation area having a hierarchical list of iconic folders. Lungren et al. teach a graphical user interface displaying a hierarchy of attributes (segments in a hierarchical pyramid) (Lungren et al.: column 1, lines 46-50 and column 2, lines 13-22 and further shown in Figure 3) similar to that of Selker. In addition, Lungren et al. further teach a navigational area that contains a hierarchal list of iconic folders, as shown in Figures 2 and 3. It would have been obvious to one of ordinary skill in the art, having the teachings of Selker and Lungren et al. before him at the time the invention was made, to modify the graphical display of items of Selker to include the hierarchical iconic folder display taught by Lungren et al. One would have been motivated to make such a in order to present task or project information in an accurate and organized manner, thereby improving efficiency in the handling of complex and large amounts of information.

Referring to claims 8 and 23, while Selker teaches all of the limitations as applied to claims 1 and 16 above, he fails to explicitly teach an editing area having one or more editing panels for entering and editing projects and tasks. Lungren et al. teach a graphical user interface displaying a hierarchy of attributes (segments in a hierarchical pyramid) (Lungren et al.: column

1, lines 46-50 and column 2, lines 13-22 and further shown in Figure 3) similar to that of Selker. In addition, Lungren et al. further teach an editing area having one or more editing panels for entering and editing tasks, shown in Figures 2 and 12. It would have been obvious to one of ordinary skill in the art, having the teachings of Selker and Lungren et al. before him at the time the invention was made, to modify the graphical display of items of Selker to include the editing of attributes of the display in order to obtain a system where the attributes of a project can be entered and edited by the user. One would have been motivated to make such a in order to present task or project information in an accurate and organized manner, thereby improving efficiency in the handling of complex and large amounts of information. Furthermore, the editing panel would make it easy and convenient for users to add or change tasks.

Referring to claims 9, 24 and 30, Selker teaches at least one element comprises at least one icon (rings of the circle display comprises at least one icon) such that presence of the icon indicates that increased attention is due the attribute associated with the element (for example, the attribute, or item associated with reference character "10" is more important and therefore requires more attention than the attribute, or item associated with reference character "20" in Figure 1), as recited in column 3, lines 33-43.

Referring to claims 10 and 25, Selker teaches an attribute of the one or more icons (segments) indicative of the status of a project or task (placement of the icon within the concentric circle, i.e. its proximity to the center of the circle, indicates the status of the item such as importance and popularity), as recited in column 2, lines 45-50 and column 3, lines 33-41.

Referring to claims 11 and 26, Selker teaches the attribute of the one or more icons being icon size (segment icons representing attributes, or items can be of different sizes), as shown in Figure 5.

Referring to claims 13 and 28, Selker teaches the attribute of the one or more icons being color, as recited in column 5, lines 30-33.

Referring to claim 31, while Selker teaches all of the limitations as applied to the claims above, he fails to explicitly teach one or more users granting access privileges to one or more other users. Lungren et al. teach a graphical user interface displaying a hierarchy of attributes (segments in a hierarchical pyramid) (Lungren et al.: column 1, lines 46-50 and column 2, lines 13-22 and further shown in Figure 3) similar to that of Selker. In addition, Lungren et al. further teach one or more users granting access privileges to one or more other users (server granting access to workstation computers), as recited in column 3, lines 55-59. It would have been obvious to one of ordinary skill in the art, having the teachings of Selker and Lungren et al. before him at the time the invention was made, to modify the graphical display of items of Selker to include the granting of access privileges taught by Lungren et al. One would have been motivated t make such a combination for security purposes, in order to ensure that only authorized users can view and edit project data, which could involve sensitive information.

4. Claims 6 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Selker U.S. Patent 6,549,219 and Lungren et al. U.S. Patent 6,092,050, as applied to claims 1 and 16 above, and Nixon U.S. Patent 6,033,316.

Referring to claims 6 and 21, while Selker and Lungren et al. teach all of the limitations as applied to claims 1 and 16 above, they fail to explicitly teach a ring having a graphical progress bar graphically representing the progress toward completion of a project or task. Nixon teaches an interface comprising a display (circular display shown in Figure 1) similar to that of Selker and Lungren et al. In addition, Nixon further teaches a ring having a graphical progress bar that graphically represents the progress toward completion, as recited in column 4, lines 57-62 and further shown in Figures 1-3. It would have been obvious to one of ordinary skill in the art, having the teachings of Selker, Lungren et al. and Nixon before him at the time the invention was made, to modify the graphical user interface display of attributes of Selker and Lungren et al. to include display a ring having a graphical progress bar, as taught by Nixon. One would have been motivated to make such a combination in order to allow users to view the pace at which the project tasks are progressing, thereby making it easier to keep up with designated deadlines.

5. Claims 12, 14-15, 27 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Selker U.S. Patent 6,549,219 and Lungren et al. U.S. Patent 6,092,050, as applied to the claims above, and Mansour U.S. Patent 6,035,278.

Referring to claims 12 and 27, while Selker and Lungren et al. teach all of the limitations as applied to the claims above, they fail to explicitly teach the attribute of the one or more icons being animation. Mansour teaches a graphical user interface for displaying attributes (tasks) and their relationship to each other (in the form of a schedule) (Mansour: Figure 2), similar to that of Selker and Lungren et al. In addition, Mansour further teaches the use of animation as an

attribute signal, as recited in column 3, lines 60-62. It would have been obvious to one of ordinary skill in the art, having the teachings of Selker, Lungren et al. and Mansour before him at the time the invention was made, to modify the graphical user interface display of attributes of Selker and Lungren et al. to include the use of animation as an attribute, as taught by Mansour. One would have been motivated to make such a combination in order to be able to distinguish between the elements shown in a variety of ways; users would be able to have a variety of choices and can set the display of project tasks according to various attributes to accommodate different situations and different visual and audio needs of the users of the display system.

Referring to claims 14 and 29, while Selker and Lungren et al. teach all of the limitations as applied to the claims above, they fail to explicitly teach the attribute of the one or more icons being sound. Mansour teaches a graphical user interface for displaying attributes (tasks) and their relationship to each other (in the form of a schedule) (Mansour: Figure 2), similar to that of Selker and Lungren et al. In addition, Mansour further teaches the use of sound as an attribute signal, as recited in column 3, lines 60-62. It would have been obvious to one of ordinary skill in the art, having the teachings of Selker, Lungren et al. and Mansour before him at the time the invention was made, to modify the graphical user interface display of attributes of Selker and Lungren et al. to include the use of sound as an attribute, as taught by Mansour. One would have been motivated to make such a combination in order to be able to distinguish between the elements shown in a variety of ways; users would be able to have a variety of choices and can set the display of project tasks according to various attributes to accommodate different situations and different visual and audio needs of the users of the display system.

Referring to claim 15, while Selker and Lungren et al. teach all of the limitations as applied to the claims above, they fail to explicitly teach an audible alarm that sounds when a threshold level has been reached. Mansour teaches a graphical user interface for displaying attributes (tasks) and their relationship to each other (in the form of a schedule) (Mansour: Figure 2), similar to that of Selker and Lungren et al. In addition, Mansour further teaches an alarm feature that sounds if a threshold level of attentiveness level is reached (if certain task hours has not been completed by a predetermined time), as recited in column 5, lines 61-65. It would have been obvious to one of ordinary skill in the art, having the teachings of Selker, Lungren et al. and Mansour before him at the time the invention was made, to modify the graphical user interface display of attributes of Selker and Lungren et al. to include the use of an audible alarm taught by Mansour. One would have been motivated to make such a combination in order to be able to distinguish between the elements shown in a variety of ways; users would be able to have a variety of choices and can set the display of project tasks according to various attributes to accommodate different situations and different visual and audio needs of the users of the display system. Furthermore, users can be notified of a certain project event, without having to physically be looking at the workspace.

Response to Amendment

6. Applicant's arguments with respect to claims 1-32 have been considered but are moot in view of the new ground(s) of rejection.

Applicant asserts that Selker describes using only a position of the menu selections relative to a "center most section" to indicate importance and other factors while the claimed invention teaches the workspace comprising one or more concentric circles arrayed around the central point such that project attributes represented in a same concentric circle have a same relative hierarchy. However, as recited in column 2, lines 45-50 and further shown in 2, Selker teaches the levels of the interface arranged as concentric circles around a central point (center of the circle). Furthermore, segments representing attributes in the same concentric circle are on the same hierarchical level in the display. For example, segments "11-14" of Figure 2 have the same hierarchy while segments "21-24" have the same hierarchy, though different from segments "11-14".

Applicant also asserts that Selker fails to show that "dividing the concentric circles into wedge-shaped segments such that a relative size of each of the segments is indicative of an attribute or task. However, Selker teaches the concentric circles divided into one or more wedge-shaped segments (such as segments "11-14" and "21-24 shown in Figure 2), where smaller segments, such as "11-14" in Figure 3 represent more important attributes or items of the system while the bigger segments, such as "21-24" in Figure 3 represent other less important attributes or items of the system. Therefore, the relative size (bigger or smaller) of the segments indicates certain attributes of the system.

Applicant also asserts that Selker only contemplates the use of color, instead of teaching that segments are colored to indicate an attribute or task. However, Selker recites that sectors and/or levels are shaded with colors to highlight commonly grouped items or to distinguish

between items (column 5, lines 30-33). Therefore, each segment is colored to indicate its menu attribute or item from other segments.

Furthermore, applicants asserts that it would not have been obvious to one of ordinary skill in the art to combine the teachings of Lungren et al. and Selker and that although both teach an interface through which users may navigate to elements presented by their interfaces, Lungren et al. do not teach a hierarchy of elements. However, Lungren et al. teach that project activities can be arranged in a hierarchical display with a plurality of levels (column 6, lines 56-57). Therefore, both Lungren et al. and Selker teach a user-navigable interface presenting a hierarchical display of elements. Furthermore, one segment (wedge) of the concentric circle interface taught by Selker has essentially the same triangular shape as that of the pyramid taught by Selker. If the project pyramids of Lungren et al. were arranged with one side of the triangle shape adjacent to one another, the circular pattern taught by Selker would be achieved, with each triangular pyramid representing a wedge of the circle. Therefore, although the interface of Lungren et al. is arranged in a pyramid shape, it still retains the hierarchical functionality of the circular interface disclosed in Selker. It would therefore be obvious to one of ordinary skill in the art to combine the teachings of Lungren et al. and Selker and the combination thereof anticipates the subject invention.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ting Zhou whose telephone number is (703) 305-0328. The examiner can normally be reached on Monday - Friday 8:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

April 22, 2004

JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 21